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Alexander Shvarts Fish & Neave 1251 Avenue of the Americas New York, NY 10020-1105			PENG, FRED H	
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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/066,811

Applicant(s)

WARD ET AL.

Examiner

fred peng

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02/04/2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-58 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-58 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☒ Certified copies of the priority documents have been received in Application No. 09/120488.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 2/4/02.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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DETAILED ACTION***Double Patenting***

1. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. A nonstatutory obviousness-type double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent either is shown to be commonly owned with this application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement.

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

Claims 20, 39, 42, 50, 51, 52, 53 rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 28, 13, 14, 15, 16, 17 of U.S. Patent No. 6,177,931 B1.

Although the conflicting claims are not identical, they are not patentably distinct from each other because Patent's claim 28 teaches all the limitations in claim 20 about a method for modifying an advertisement in an EPG without teaching the first and the second database, but the memory taught in claim 28 would encompass both database in instant claim 20. Therefore, it would have been prima facie obvious to one of ordinary skill in the art at the time the invention was made to include the database as part of the memory. For claim 39, which is an EPG system claim corresponding to the patent's claim 13, which also teaches all the limitations in an EPG systems other than the memory vs. the database. The patent's claim 14 further teaches all the limitations for claims 42 and 50 except a service. However, it would have been prima facie obvious to one of ordinary skill in the art at the time the invention was made to include the service as part of the promotional information. The patent's claims 15,17 further anticipate all the limitations for claim 51 for input device for selecting and activating the selected advertisement. The patent's claims 15, 16 then further anticipate all the limitations for claims 52, 53 for the activated ad is linked to a web site based on an address for the ad and display more detailed information.

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Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-19, 29-30, 57 are rejected under 35 U.S.C. 102(e) as being anticipated by Klosterman et al. (US 5,940,073).

Regarding Claim 1, Klosterman anticipates a method for displaying an **advertisement** in an EPG comprising the steps of **storing TV schedule** in a database, **receiving advertisement** information, **combining** a portion of the **advertisement** with a portion of stored TV **schedule** information and **displaying** the combined information in the EPG on a screen by "showing the system and method of the present invention provides a program schedule guide with **information regions** for displaying additional information. Alternatively, the additional information may be provided by a separate information guide, and a user may "hypertune" from the program schedule guide to the information guide, and vice versa. **The information** to be displayed is **received** by a peripheral device which can either be a stand-alone device, such as a set-top box or a web-browser box; or integrated into the user's television, VCR, computer, satellite IRD, cable box, and the like. In addition, the information may be **displayed** on a computer screen, a television screen, or a television monitor screen. In a preferred embodiment of the invention, the program guide interactively displays a program schedule guide and the screen contains additional non-interactive information regions which can be used for displaying advertising or promotional messages. See Col.1 lines 51- 67. In a preferred embodiment, information in the data-stream includes television schedule information, advertising information, news information, weather information, financial information, internet address linking information, and the like. The information in

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the data-stream may further include messages from the system operator to a specific user or to subscribers of the system in general. Software applications, which may be downloaded from the distribution center or located within the peripheral devices, utilize the schedule information provided in the data-stream to generate a schedule guide. See Col. 4 lines 63-67, and Col. 5 lines 1-6".

Regarding Claim 2, Klosterman further anticipates method is performed in substantially real time by" In a preferred embodiment, information in the data-stream includes television schedule information, advertising information, news information, weather information, financial information, internet address linking information, and the like. See Col. 4 lines 63-67".

Regarding Claims 3 and 13, Klosterman further anticipates promotional information about a future TV program is a video preview by "FIG. 5(a) is an illustration of a program schedule guide screen 500. As shown, guide screen 500 has one information region 520, which is interactive. Information region 520 is promoting a program that will air in the future. In this case, if the user clicks on region 520, the user may see message screen 550 (FIG. 5(b)), which also displays a description of the program content. In another embodiment, message screen 500 may also contain an icon, which the user may click on to view a short video preview. This preview may be shown in a PIP window. See Col. 8 lines 26-35".

Regarding Claims 4 and 5, Klosterman further anticipates promotional info about a currently telecast program and products and service by " the advertising may be for special programming events such as pay-per-view movies, current or upcoming programs or for merchandise and service. See Col. 2 lines 2-4".

Regarding Claim 14, Klosterman further anticipates promotional info about one or more of a product and a service is a video preview by in another embodiment, message screen 500 may also contain an icon, which the user may click on to view a short video preview. This preview may be shown in a PIP window. See Col. 8 lines 32-34.

Regarding Claim 6, Klosterman further anticipates storing a program description and combining a portion of the received advertisement with stored program description by FIG. 3(a) is an illustration of a program schedule guide screen 300 with program information 320 and interactive information regions 330 and 340. See Col. 8 lines 34-36.

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Regarding Claim 7, Klosterman further anticipates storing a program telecast time and combining a portion of the received advertisement with stored program telecast time by FIG. 4(a) is an illustration of a program schedule guide screen 400. As shown, the user may move a cursor across region 410 to move between the different days of the week. In FIG. 4(a), the user has selected Wednesday. Hence, the schedule information displayed is for Wednesday, and the time shown is the current time. The system knows what time the user is watching television, and automatically adjusts the cursor to be located on default on a cell that corresponds to the current time. As shown, guide screen 400 has one information region 420, which is promoting a program that may be on shortly or is currently on. Information region 420 is interactive. Hence, if the user clicks on region 420, the user may see message screen 450 (FIG. 4(b)), which displays a description of the program content. In addition, message screen 450 may also display promotional materials about an upcoming program. See Col. 8 lines 1-17.

Regarding Claim 8, Klosterman further anticipates storing a web site address and combining a portion of the received advertisement with stored a web site address by As shown in FIG. 6(c), the user may choose to connect to the Seinfeld web page, the NBC web page that promotes the Seinfeld show, or the Comedy Network web page by clicking on one of the three website icons 660, 665, and 669 respectively. The system will launch a web-browser when the user selects an information region that promotes a website. See Col. 9 lines 35-41.

Regarding Claim 9, Klosterman further anticipates storing a info related to a geographical location and combining a portion of the received advertisement with the info related to a geographical location by In FIG. 11(b), the user has selected weather forecast for the United States, hence, the user may be shown a U.S. weather information screen 1140 (FIG. 11(c)), which displays the information in a column fashion. Other display arrangements that display the information in a logical manner may also be used; furthermore, the information may be more detailed than that shown in information screen 1140. FIG. 11(d) is an illustration of a submenu 1160 that is similar to submenu 1120 except in FIG. 11(d), the user has selected weather forecast for Berkeley, instead of for the U.S. Hence, the user is shown a

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forecast of Berkeley weather in a information screen 1180 (FIG. 11(e)) instead. Since the weather information is for a local region, it is more detailed and provides more information to the user. See Col. 12 lines 34-47.

Regarding Claim 10, Klosterman further anticipates storing info related to a TV viewer and combining a portion of the received advertisement with the info related to a TV viewer by "As the number of programs of potential interest to the viewer has increased, a variety of electronic program guides have been developed to help the viewer select programs of particular interest. For example, commonly assigned U.S. Pat. No. 4,706,121 and 5,353,121 each describes schedule information processing systems which provide the viewer with a convenient way to select programs based on viewer supplied selection criteria. Given the hectic lifestyle of today's society, a system which provides other information in addition to television program schedule information would be very convenient for the busy viewer. Examples of information viewers may desire are weather information, financial information, and the like. Hence, an information system such as a guide with regions reserved for such information would provide a valuable service to a user. Furthermore, these regions could be used for advertising or promotional purposes". See Col. 1 lines 29-45.

Regarding Claims 11 and 12, Klosterman further anticipates **storing info related to rotating advertisement info in the EPG** and combining **a portion of the received advertisement with the info related to rotating advertisement info in the EPG** and further display the advertisement info in the EPG based on the **rotating advertisement info** By "As shown in FIG. 2(a), cell 220 anticipates a promotion for NBC's program featuring Travolta. Program guide screen 200 also contains an advertisement space 250. This space can be used to provide additional advertising opportunities, an example is advertisements for a system operator. Preferably the space is used for short advertisements that change periodically, for example, on three minutes intervals. An example of a suitable advertisement is "Enjoy Coke! Here cell 250 anticipates an advertisement from RCA. See Col. 5 lines 55-64. In addition or as an alternative, there may be commercial icons to allow the user to get more information about the product or service advertised. See Col. 6 lines 2-4. Also see FIG. 2(b)."

Regarding Claims 15, Klosterman further anticipates steps of **selecting** the displayed info using a **pointing device and activating a function** related to the selected info By "In another embodiment, message screen 500 may also contain an icon, which the user may click on to view a short video preview. This preview may be shown in a PIP window. See Col. 8. lines 32-35."

Regarding Claims 16, Klosterman further anticipates step of **activating a function** comprising linking to a web site based on an address related to the selected info and displaying more info from the web sites By "FIG. 6(a) is an illustration of a program schedule guide screen 600. As shown, guide screen 600 has an interactive information region 620, which promotes a website connected with a program. In an alternate embodiment (FIG. 6(b)), guide screen 600 may include a virtual channel 640. A virtual channel is a channel that does not tune to television programs; instead, the channel may launch an application, connect to an internet site, connect to a information guide, and the like. In the example as shown in FIG. 6(b), virtual channel 640 contains an internet address--also called a Uniform Resource Locator (URL); hence it connects to an internet site. As shown in FIG. 6(b), region 620 may be used to display promotional materials in this alternate embodiment. See Col. 9 lines 19-32."

Regarding Claims 17, Klosterman further anticipates step of **activating a function** comprising display more detail info related to the selected info by "Since information region 710 is interactive with the user, the user may click on information region 710 to get further information about the programs shown in the region. See Col. 10 lines 31-34."

Regarding Claims 18, Klosterman further anticipates step of **activating a function** comprising scheduling future TV program for recording by "finally, the user may schedule a recording of a future program or begin recording of a program currently on. See Col. 10 lines 41-43."

Regarding Claims 19, Klosterman further anticipates step of **activating a function** comprising tuning to a currently telecast TV program by "The user may further click on information region 710 to tune to the program if it is currently on. See Col. 10 lines 34-36."

Regarding Claims 29 and 30, Klosterman further anticipates storing **schedule** info step comprising storing info related to rotating advertisement info in the EPG and the incorporating steps

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comprising the incorporating a portion of the stored advertisement info with info related to rotating advertisement info and further display the advertisement info in the EPG based on the **rotating advertisement info** By In a preferred embodiment, information in the data-stream includes television schedule information, advertising information. See Col.4 lines 63-65. Also see the rejections for claims 11 and 12.

Regarding Claim 57, Klosterman further anticipates a **computer readable medium** having stored a set of instruction for displaying an advertisement in EPG, when executed by a microprocessor to perform the steps of a method for displaying an **advertisement** in an EPG in claim 1 by "If the software applications are located within the peripheral devices, they may be stored on a computer-readable storage medium such as a RAM, disk, or other storage device. Where applicable, the computer-readable storage medium may also be a ROM. See Col. 5 lines 18-22".

Claims 20-28, 31-56, 58 are also rejected under 35 U.S.C. 102(e) as being anticipated by Schein et al. (US 2003/0005445 A1).

Regarding Claims 20, Schein anticipates a method for modifying an **advertisement** in an EPG comprising the steps of Storing TV **schedule** in a **first database**, storing **advertisement** info in a **2nd database**, Incorporating a portion of the **advertisement** with a portion of stored TV **schedule** info to form a modified **advertisement**, displaying the modified **advertisement** on a screen by "The database engine builds a hierarchical database in the RAM. The hierarchical structure of the database is depicted in FIG. 4. The database is structured internally as schedule data structures and theme data structures linked by handles and handle tables. See paragraph 47 lines 1-5. An advertisement database is also created from commands including advertising text and logos including IDs for linking the advertisements to anticipates displayed in the EPG. See paragraph 50 lines 1-4. A television guide database or network server is coupled to the computer network, or directly to the viewer interface for providing the television schedule and/or listing information to the viewer. See paragraph 7 lines 10-13. Or the commercial databases coupled to the computer network. Alternatively, this function may be provided through the computer network by allowing the viewer to access, download, and/or automatically upgrade an

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application or applet (e.g., a JAVA.TM. applet) having appropriate software to run the television schedule and/or listing information guide on a display. See paragraph 7 lines 17-23. In the above embodiment, commercial providers (e.g., Budweiser) and/or television station broadcasters (e.g., ABC) and/or program directory, library, or archival sources (e.g., Turner Classics Film Library or other such repository of digitally-available programs or programming) may also have databases coupled to the viewer interface. In this manner, the viewer may directly access these databases during the broadcast of a television program, or while the viewer is browsing through the television schedule and/or listing information guide. See paragraph 8 lines 1-10." or other products and services related to the football game.

Regarding Claims 21 and 23, Schein further anticipates storing **advertisement** info step comprising promotional info about a **future TV program and one or more of a product and a service** by In another example, the television network that is broadcasting the program may provide an icon that allows the viewer to access a database 412 providing more information about the football game, previews of upcoming programs related to the program, such as another football game later on in the week, or other products and services related to the football game. See paragraph 129 lines 1-7.

Regarding Claims 31 and 32, Schein further anticipates Promotional info is **a video preview by a** preview window area 528 can be used for all types of promotional, descriptive, or contextual video or graphics, See paragraph 133 lines 21-23.

Regarding Claims 22, Schein further anticipates storing **advertisement** info step comprising promotional info about a **currently telecast TV program by a** preview window area 528 can be used for all types of promotional, descriptive, or contextual video or graphics, such as a short preview of the show that is currently being highlighted in show matrix 506. See paragraph 133 lines 21-25.

Regarding Claims 24, Schein further anticipates storing schedule info step comprising storing a program description and the incorporating steps comprising the incorporating a portion of the stored advertisement info with the stored program description by As shown in FIG. 21A, the viewer selects a particular program within guide 502, to access that program's info menu. Within the info menu, the

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viewer then scrolls to linked services and clicks on this window to move into a database that includes items and services contextually related to that particular program. See paragraph 141 lines 3-9.

Regarding Claims 25, Schein further anticipates storing schedule info step comprising storing a program telecast time and the incorporating steps comprising the incorporating a portion of the stored advertisement info with the stored program telecast time by As shown in FIG. 16A, program guide 502 preferably includes a schedule information area 506 having a program matrix 508 of cells or items that depict the anticipates that are being presented on each channel at each time during the day. See paragraph 132 lines 1-5. A program area 526 depicts the currently tuned program and a preview window area 528 can be used for all types of promotional, See paragraph 133 lines 21-22.

Regarding Claims 26, Schein further anticipates storing schedule info step comprising storing a web site address and the incorporating steps comprising the incorporating a portion of the stored advertisement info with the stored web site address by FIGS. 19A-19C illustrate another embodiment of the present invention in which the television viewer may accept incoming e-mail messages or send outgoing messages to other television viewers or users connected to the television schedule system, e.g., users on the Internet. As shown in FIG. 19A, the viewer scrolls down to the Messages window in the Mode menu and activates this window to enter a submode menu. To read incoming messages, the viewer scrolls down to the "Check new messages" cell and activates this cell to display messages that have been received. See paragraph 139 lines 1-11.

Regarding Claims 27, Schein further anticipates storing schedule info step comprising storing a geographical location and the incorporating steps comprising the incorporating a portion of the stored advertisement info with the stored geographical location by Since the television guide website and/or internet broadcast transmitter may be accessed from virtually any location in the world, it will preferably include a mechanism for selecting a region from which the television guide is applicable. For example, the television guide may include television schedule and/or listing information from a variety of countries throughout the world, or the information guide may be limited to the United States. To obtain television schedule information for a particular region, the user can select an appropriate state, city, or other region, such as a region covered by a particular cable company. See paragraph 119 lines 1-11.

Regarding Claims 28, Schein further anticipates storing schedule info step comprising storing info related to a TV viewer and the incorporating steps comprising the incorporating a portion of the stored advertisement info with the stored info related to a TV viewer by In another aspect of the invention, the system will include a variety of files on the same or different network servers that allow the user to interact with other users, program sponsors, advertisers, etc. For example, the system may have a web site that allows viewers to chat about certain programs (each program itself may have its own web site). In addition, the system may include a "virtual agent" that searches existing websites and/or internet broadcast transmitter on the internet and points to websites and/or internet broadcast transmitters that may interest the viewer. The virtual agent will learn from previous user choices to customize the television guide for each particular viewer. See paragraph 122 lines 1-12. FIG. 15 schematically illustrates a system and method according to the present invention for linking television viewers with broadcasters and advertisers during the broadcast of a commercial or program. See paragraph 123 lines 1-4.

Regarding Claims 33, Schein further anticipates the steps of selecting the displayed advertisement using a pointing device and activating a function related to the selected advertisement by The program guide 502, which is the primary mode in the television schedule system, includes a number of screen information areas or windows in a particular screen where the viewer operates a input device, such as a remote control, to move around vertically and horizontally and to interact with that screen area's function. See paragraph 131 lines 3-9.

Regarding Claims 34, Schein further anticipates the steps of activating a function comprising linking to a web site based on the an address related to the selected advertisement and displaying more info from the web site by Alternatively, the user may contextually link with other databases, such as the Internet or World Wide Web, to find out more information about the program (e.g., chat with other Jerry Seinfeld fans, read reviews on that particular episode, etc) See paragraph 144 lines 8-12.

Regarding Claims 35, Schein further anticipates the steps of activating a function comprising more detail info related to the selected advertisement by Another icon may be provided, for example, by a commercial sponsor. Moving into and activating this icon allows the viewer to link with a database

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provided by the commercial sponsor, or to a portion of the television schedule guide database that allows the viewer to purchase an advertised product. See paragraph 127 lines 1-6.

Regarding Claims 36, Schein further anticipates the steps of activating a function comprising displaying a video preview related to the selected advertisement by a preview window area 528 can be used for all types of promotional, descriptive, or contextual video or graphics, such as a short preview of the show that is currently being highlighted in show matrix 506. See paragraph 133 lines 21-26.

Regarding Claims 37, Schein further anticipates the steps of activating a function comprising scheduling a future TV program for recording by or example, if the user wishes to record a program, in the GUI embodiment, the viewer moves the cursor over the record interactive region which is then selected to request that the recording function be performed. A confirmation screen will then be generated. Once the user confirms the recording request, an entry is made in a recording queue. See paragraph 99 lines 1-6.

Regarding Claims 38, Schein further anticipates the steps of activating a function comprising scheduling a future TV program for recording by FIGS. 17A-17C illustrate a method of accessing program guide 502 from a currently tuned program and browsing through other currently tuned programs with remote control device 2. See paragraph 137 lines 1-4.

Regarding Claims 39-47, 49-56, the system claims have been discussed with regards to the method claims of claims 20-28, 31-38.

Regarding Claim 48, Schein also anticipates the 1st database includes info related to rotating ad info in the EPG for combining a portion of ad data with the stored info related to rotating ad info by "For example, a scrolling commercial message 524 may be located underneath program matrix 506 that advertises programs or products from program sponsors, etc. The viewer may navigate to message 524 to receive more information or to purchase the product or program". See paragraph 134 lines 4-9.

Regarding Claim 58, Schein also anticipates A **computer readable medium** having stored a set of instruction for modifying an advertisement in EPG, when executed by a microprocessor to perform the steps of Storing TV **schedule** in a **first database**, storing **advertisement** info in a **2nd database**

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Incorporating a portion of the **advertisement** with a portion of stored TV **schedule** info to form a modified **advertisement** Displaying the modified **advertisement** on a screen by "In one embodiment, a computer program provided on diskettes, a CD ROM or other medium contains the software needed for receiving, organizing and displaying data for the television schedule guide. These diskettes are inserted in disk input 18 and the software for these diskettes is stored within computer 12 on hard drive 14 or on another mass storage location. See paragraph 33 lines 1-4. In addition to the computer program, data for the basic schedule information and other related data (e.g., data relating to a particular show) are needed for the generation and maintenance of the television schedule and/or listing information guide. See paragraph 34 lines 1-5".

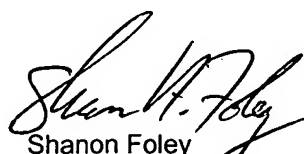
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fred Peng whose telephone number is (571)270-1147. The examiner can normally be reached on Monday-Friday 07:30-17:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, shanon foley can be reached on (571)272-0898. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Fred Peng
Patent Examiner



Shanon V. Foley
Supervisory Patent Examiner